

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

*Off File*  
Docket No.  
088.000426US

In Re Application of **Santi Tofani**

Application No.  
09/720,549

Filing Date  
12/22/2000

Examiner  
Quang Nguyen

Customer No.  
24041

Group Art Unit  
1636

Confirmation No.  
3360

Invention: **APPARATUS AND METHOD FOR INTERFERING WITH PATHOLOGICAL CELLS SURVIVAL  
PROCESSES**

**COMMISSIONER FOR PATENTS:**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **Dec. 10, 2004** finally rejecting Claim(s) **61-68, 70, 72, 74 and 76**

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☐ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: **\$250.00**

☒ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0822**

☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

*C. Richard Lohrman*  
Signature

Dated: **December 28, 2004**

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CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

Dec. 28, 2004

(Date)

*C. Richard Lohrman*  
Signature of Person Mailing Correspondence

**C. Richard Lohrman, Esq.**

Typed or Printed Name of Person Mailing Correspondence